

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

DAVID S. THAMES, #02204980

v.

DIRECTOR, TDJC-CID

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CIVIL NO. 4:21-CV-976-SDJ

**ORDER OF DISMISSAL**


The above-entitled and numbered civil action was referred to United States Magistrate Judge Christine A. Nowak, who issued a Report and Recommendation on September 15, 2022, concluding that the petition for writ of habeas corpus should be denied as time-barred and dismissed with prejudice, (Dkt. #12). A copy of the Report was mailed to Petitioner. On October 3, 2022, Petitioner filed a “Request to the Court,” (Dkt. #13), asking the Court to provide a “status check” of his case and to consider additional evidence unrelated to the issue of limitations. Out of an abundance of caution, an additional copy of the Report was mailed to Petitioner. No objections were timely filed thereafter.

The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration. The Court concludes that the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court.

It is accordingly **ORDERED** that the petition for a writ of habeas corpus is **DENIED** and the case is **DISMISSED** with prejudice. A certificate of appealability is **DENIED**.

It is further **ORDERED** that all motions not previously ruled on are hereby **DENIED**.

So **ORDERED** and **SIGNED** this 9th day of March, 2023.

  
SEAN D. JORDAN  
UNITED STATES DISTRICT JUDGE